

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of )  
GMW Fire Protection, Inc., an Alaska )  
Corporation, )  
Plaintiff, )  
vs. )  
KANAG'IQ CONSTRUCTION CO., )  
INC., an Alaska Corporation, and )  
WESTERN SURETY COMPANY, a )  
South Dakota Corporation, )  
Defendants. ) Case No. A05-170 CI (TMB)

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITIES RE  
OPPOSITION TO MOTION FOR ATTORNEY'S FEES**

Defendants, KANAG'IQ CONSTRUCTION CO., INC. and WESTERN SURETY COMPANY, through their attorneys, Eide & Gingras, P.C., submit this Notice of Supplemental Authorities pursuant to Alaska Local District Rule 7.1(h)(1)(B). The supplemental authorities pertain to Defendants' Opposition to GMW's Motion for Attorney [sic] Fees. Defendants' Opposition consists of two pages, docket number 143.

The first citation is 2005 WL 846211 at \*1 (D. Alaska 2005). Pursuant to Ninth Circuit Rule 36-3, an unpublished opinion issued before January 1, 2007, may be cited for factual purposes, such as to show entitlement (or lack thereof) to attorneys' fees. The second citation is Alaska Constr. & Eng'g v. Balzer, 130 P.2d 932, 939-940 (Alaska 2006). Copies of both opinions are attached for the Court's ease of reference.

1 DATED at Anchorage, Alaska this 4<sup>th</sup> day of March 2008.

2 EIDE & GINGRAS, P.C.  
3 Attorneys for Defendants  
4 Kanag'Iq Construction Co., Inc. and  
5 Western Surety Company

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14 CERTIFICATE OF SERVICE

15 I am a legal secretary employed by the law  
16 firm of Eide & Gingras, P.C. That on this  
17 4<sup>th</sup> day of March 2008, I served

18 [x] Electronically

19 a true and accurate copy of the foregoing  
20 document upon the following counsel of record:

21 Sarah J. Tugman, Esq.  
22 2509 Eide Street, Suite 4  
23 Anchorage, AK 99503

24 EIDE & GINGRAS, P.C.

25 By: /s/Donna Charter

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